

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF OKLAHOMA**

| | | |
|---------------------------|---|-------------------------|
| UNITED STATES OF AMERICA, |) | |
| |) | |
| Plaintiff, |) | |
| |) | |
| v. |) | Case No. CR-23-00409-JD |
| |) | |
| JOSEPH TYLER REED, |) | |
| |) | |
| Defendant. |) | |

ORDER

Before the Court is Defendant Joseph Tyler Reed’s Motion for Leave to Proceed on Appeal Without Prepayment of Costs or Fees (“Motion”). [Doc. No. 116]. Reed seeks leave to appeal *in forma pauperis* from the Judgment entered on October 31, 2024 [Doc. No. 108]. Reed has indicated that, on appeal, he would argue that the Court erred in denying his Motion to Suppress Evidence. *See* [Doc. Nos. 38, 59]; *United States v. Reed*, No. 24-6241 (10th Cir. Nov. 27, 2024), ECF No. 6 at 5.

To proceed with his appeal *in forma pauperis*, Reed must show both that his appeal is taken in good faith and that he is financially unable to pay the required fees. *See* 28 U.S.C. §§ 1915(a)(1) and (a)(3). An appeal is taken in good faith if the appellant can make “a reasoned, nonfrivolous argument on the law and facts in support of the issues raised on appeal.” *DeBardleben v. Quinlan*, 937 F.2d 502, 505 (10th Cir. 1991).

Upon review of Reed’s Motion and the record, the Court finds that Reed has made the necessary showing to proceed *in forma pauperis* on appeal. Reed can plausibly raise a rational, nonfrivolous argument that the Court erred in denying the Motion to Suppress.

And considering the financial information provided in the Motion, Mr. Reed has demonstrated his inability to pay the required fees.

The Court therefore GRANTS Reed's Motion for Leave to Proceed on Appeal Without Prepayment of Costs or Fees [Doc. No. 116].

IT IS SO ORDERED this 7th of January 2025.

A handwritten signature in black ink, appearing to read "Jodi W. Dishman", is written over a horizontal line.

JODI W. DISHMAN
UNITED STATES DISTRICT JUDGE